

REMARKS

Claims 1, 3, 5 and 6 are pending in the application with the present amendment. Claims 2, 4, 7 and 8 are cancelled herein. In the Office Action, claims 1-8 were rejected as being anticipated under 35 U.S.C. §102(e) by U.S. Patent No. 6,561,906 B2 to Suzuki ("Suzuki"). For the reasons set forth below, applicants submit that the presently claimed invention is distinguished from Suzuki and respectfully request reconsideration and withdrawal of the rejections.

As now recited in amended claim 1 of the application, a stream data reproducing apparatus is provided which includes a reading processing portion for reading out stream data and action definition information stored in a recording medium and for detecting action position information therefrom which identifies a predetermined action position in the reproduction of the stream data. The reproducing apparatus further includes a reproduction processing portion for reproducing the stream data read out by the reading processing portion, and an application executing portion for executing an application. The reproducing apparatus further includes a monitoring processing portion for monitoring the reproduction of the stream data and notifying the application executing portion when the action position is detected. Recitations similar to these are found in independent claim 5, which claims a method of reading out and reproducing stream data stored in a recording medium, and independent claim 6, which claims a recording medium having stream data and a stream data reproducing program recorded thereon for performing a corresponding method.

By contrast, Suzuki fails to teach or suggest all of the features of the invention that are recited in claims 1, 5 and 6. Suzuki merely describes detecting the manipulation of a character on a screen by a user such as a player of a video game. The reproduction of movie data is then conditioned upon

the detected direction of the character's movement caused by the player. *Suzuki* neither teaches nor suggests detecting action position information *from action definition information stored in the recording medium*. In addition, *Suzuki* neither teaches nor suggests detecting action position information that *identifies a predetermined action position in the reproduction of the stream data*.

As recited in claim 9, the reading processing portion of the stream data reproducing apparatus is operable to detect action data corresponding to the action position information, and the monitoring processing portion is operable to provide the action data to the application executing portion upon detection of the action position. New claims 12 and 15 have similar recitations.

By contrast, *Suzuki* fails to teach or suggest these additional features of the invention that are recited in claims 9, 12 and 15. *Suzuki* neither teaches nor suggests detecting action data from a recording medium, the action data corresponding to the detected action position information. Nor does *Suzuki* teach or suggest providing the action data to an application upon detection of an action position in the reproduction of the stream data.

Moreover, *Suzuki* neither teaches nor suggests that the action position is a *temporal* action position, as claimed in claims 10, 13 and 16, or that the application executing portion is operable to synchronize an operation in accordance with the provided action data, as claimed in claim 11. Recitations similar to those of claim 11 are found in claims 14 and 17.

Support for the present amendments is provided, *inter alia*, at pg. 16, ln. 15 through pg. 18, ln. 5.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If,

however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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